P.7.266-92

G. R. S. IX-5]

Previous references.

1892-93

192 .

(8/12)

Later references.

File No. 185-92

Serial Nos. 1-11

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-11

M **Part B for** July 1893

SUBJECT.

Appeal of Kodappa Patel and another of Bharampur against the punishment awarded for cutting Government trees, Hirinoor taluk;-

To,

The Deputy Commissioner, Chitaldroog District

No. 1622 / P.7.266-92 Dt. 19/27 . 7 . 1893.

Directing that the fine imposed on the 1st. applant Kodappa has been reduced to Rs 24/- and on the 2nd appellant has been reduced to Rs 12/- and that the 1st. appellant will be restored to office at once as the punishment he has already suffered is considered sufficient.

WD 2283—GPS—20,000—11-6-20

Indexed by

1

Kistna Collection

CHIEF SECRETARY'S OFFICE.

PETITION BRANCH.

Appeal No 57 of 1892-93.
Petitioners - 1. Kodappa
2 Donne Linga

OFFICE NOTE.

SUBJECT. Appeal against the punishment imposed by the Deputy Commissioner of Chitaldroog for cutting trees on Govt land without license.

LAST REFERENCE. Letter No. 697/646 dated 5th June 1893

from the Deputy Commr Chitaldroog Dt

On the 26th July 92 the Amildar of Hiriyur, on review of proceedings submitted by the Shekdar and after personal local enquiry, reported that 1st Petitioner Kodappa, Patel of Bharampur, had cut 2 Atti trees standing in the Halla (Govt Kharab) by the side of Survey No 334, and that the 2d Pet: Donne Linga and one Sidrama (who has not appealed), both ryots of the said village, had each cut one Atti tree standing on the bank of the said Halla. The Deputy Commr

... agree with the recommendations
... made by the Amildar, directed, on 24th
... October 1892, that Patel Kodappa
... pay Rs. 16 value of the 2 trees
... cut by him, and in addition thereto,
... fine of Rs. 20,- that he be
... then suspended from office
... one year, - and that Donne
... Linga and Sidrama do each
... pay Rs 8 value of tree cut by him
... or Rs. 10, fine.

Patel Kodappa & Donne Linga,
... their appeal, urge :—

(1) that the Deputy Com^r's order
is opposed to the evidence on
record

(2) that the trees cut by Petr^r,
the Patel, were on private land
(wrong No is given in the Petition)
and he had the consent of
the holder thereof

(3) that the order against the
2^nd Petr^r Donna Linga is illegal.

The Patel urged before the
Collector & Amildar that he
believed the 2 trees he cut were
in Survey N^o 334 as the holder of it
had been enjoying the mango,
tamarind and Atti trees on
the bank of the Halla (stream)
to the west & south of the said field -
that he cut the trees in question with

the permission of the owner of the field, - that he did not know they were on Government land, - and that the bandies on the western & southern sides could not be clearly seen. He prayed that he might be excused as he was under the belief that the trees were within the Ryots Khâté.

Doddeera, owner of Survey No 334, stated that the trees on the field had been planted by his elders & were in his enjoyment; that the Patel having asked for the 2 Atti trees in question, he permitted the Patel to cut them, - that till the result of inspection by the Shekdar was communicated, he did not know the trees were on Government land, - and that if he knew it before, he should not have given the permission.

Donne Linga, 2d Petitioner, pleaded that the Atti tree he cut was on Survey No 334 which was in his uncles Khâté and in his own enjoyment, and that his uncle told him that he might cut it.

Sidda uncle of Donnedinga corroborated him and added that he believed the tree was on his land and did not know it belonged to Government.

Sdrama urged that the tree he cut was on his land (No 331) and that he did not know

that it belonged to Government.

A Sketch showing the position of the trees cut, the limits of the fields Nos 334, 331 and 338 on which it was contended the trees stood, and the position of the Survey Bandhs having been called for by this office, the Amildar deputed the Taluk Mojamidar to prepare one.

The Mojamidar in submitting the Sketch prepared by him, reported that by the action of the annual floods in the Halla running west and south of Survey No 334, that field had lost 3 guntas it being now 4 acres 27 guntas instead of 4 acres 30 guntas: that in consequence of it, the position of the trees cut by the Patel ~~[illegible]~~ seemed as being on the bank of the Halla,- that field No 338 was found to contain, owing to alluvion, 2 guntas more than the recorded extent,- that the tree cut (by Donne Lenga) was on the boundary line,- that the extent of Survey No 331 corresponded with the recorded extent,- and that the tree cut (by Sidrama) was within the boundary line. (bandh sist by the side of Halla)

The Amildar in submitting the above & the Dy [illegible] noted that the lands were not measured at his inspection,- that as it was reported by the Mojamidar that the extent of Survey No 334 had become less owing to the action of

× "Haddu bastu Sara bandh"

of floods in the Halla, one of the trees in question might perhaps be said to have been within the boundaries of the field, - that he could not believe that his conclusion with regard to the other trees was incorrect, - that upon consideration it seemed to him the Mojamidar's measurement could not be regarded as accurate, - and that if extracts from the Survey Tippani Book were ~~obtain~~ furnished to him he would make an inspection with particular attention to entries therein and report what the actual state of things was.

According extracts from the Tippani were furnished and the Amildar made a second inspection on 2nd June 1893 He was assisted by the Daulk Inspector who was formerly in the Survey Department. On the previous day he sent a requisition to the Patel and the Mojamidar to be present on the occasion, but the former was absent at Chital-drooy & the latter's reply was not received.

The Amildar submits the annexed sketch and reports that of the 2 trees cut by the Patel one is two feet outside the boundary of the field & in the Halla (Khaba land) and the other tree 9 feet outside the field and in the Halla, and that the trees cut by Donne Lunja & Sidrama are in the Sisi (boundary) between the Survey No 338 and Halla and the Survey No 331 & the Halla respectively

Nothing is stated in the Amildars last report or in the sketch as regards the loss caused by floods referred to by the Mojamdar. In the sketch it is stated that the position of some of the bandhs of 334 has been changed and they have been placed quite in the bed of the Halla. Some of the bandh stones in Survey No 338 and 331 are said to be missing. The position of these was probably ascertained by the aid of the Tippani extracts.

The questions for consideration are :—

(1) Whether the 2 Atti trees cut by the Patel were on Survey no 334 or whether they were in the bed or on the bank of the Halla

(2) Whether or not the owners of the fields were entitled to cut the trees on the Siat or boundary

(3) Whether the punishments inflicted by the Deputy Commr were deserved.

The planks were prepared out of the trees cut, were restored to the appellants.

The Tippani extracts show 7 trees in Survey No 334 in the direction of Halla and 3 trees in Survey No 338 in the same direction. They are appended hereto.

WV

I am not prepared to hold that the trees should not be cut.

15/6

ಸೈಂಟಿಫಿಕ್ ಪ್ರೊಟ್ರಾಕ್ಟರ್‌ನಲ್ಲಿ ಅಳತೆಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದು - ಅಂಶಗಳ ಸಂಖ್ಯೆ ಹಿಂದಿನಂತೆ

ಕಲಿಯುವವರಿಗೆ ಕೊಡಬೇಕಾದ ಪ್ರಶ್ನೆಗಳನ್ನು ಕೆಳಗೆ ಕೊಡಲಾಗಿದೆ —

ಅಂಶಗಳ ಸಂಖ್ಯೆ — ೧೦

ಕೋನಗಳ ಸಂಖ್ಯೆ — ೩೬೦

ಬಿಂದುಗಳ ಸಂಖ್ಯೆ — ೩೬೮

ಸರಕ್ಕಾರಿ - ಪ್ರೌಢ್ಯ - ಪ್ರೌಢ - ಪ್ರೌಢಶಾಲೆ - ಪ್ರೌಢ ಪ್ರೌಢಶಾ - ಪ್ರೌಢ ಪ್ರೌಢಶಾಲೆ

ಕಪ್ಪು ಬಣ್ಣದಲ್ಲಿರುವ ಪ್ರೌಢಶಾಲೆ —

ಅಂಶಗಳ ಸಂಖ್ಯೆ — ಬಿಂದುಗಳನ್ನು ಸೇರಿಸುವುದು — ಪ್ರೌಢಶಾಲೆ - ಪ್ರೌಢ

ಸರಕ್ಕಾರಿ - ಪ್ರೌಢ್ಯ - ಪ್ರೌಢಶಾಲೆ ಪ್ರೌಢ ಪ್ರೌಢಶಾ - ಪ್ರೌಢ ಪ್ರೌಢಶಾಲೆ - ಪ್ರೌಢ -

೧೦೦ ೩೬೮ ೩೬೦

Rough copy of Amildar's Sketch

9.

Those marked Q & numbered I, II, III & IV are the trees.

Tree No. I is 2 feet outside Sist & in Kharab land, Halla.

Tree No. II is 9 feet outside Sist & in Kharab land, Halla

Tree No. III is in Sist between the said Halla and No 338

Tree No. IV is in Sist between the said Halla and No 331.

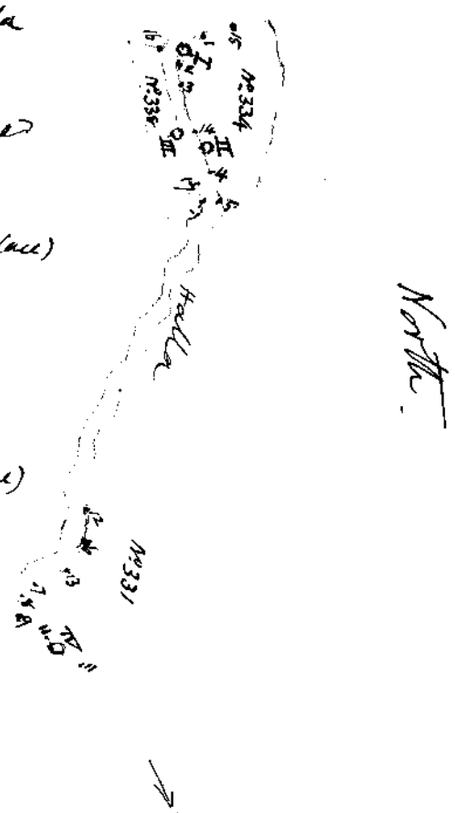
Boundh Stones 1, 2, 3, 4 & 5 in No 334 } position changed & they are placed quite in the Halla

De 14 & 15 in No 334 } old Stones remain (in their place)

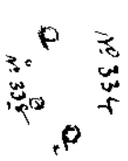
Do 16 & 17 in No 338 } these are not forthcoming

Do 12 & 13 in No 331 } old Stones remain (in their place)

Do 6, 7, 8, 9, 10 & 11 in No 331. } these have been removed.



Rough copy of Mojamidar's Sketch



No 331

Appeal No 57 of 1892-93.

Decision. The Dist Commr of Chitaldrug fined 1st appt Patel Kadappa 36 Rs for felling two Atti trees situate in Govt land & suspended him from office for one year. He also fined two appellant and another person 18 Rs each for a similar offence in respect of two Atti trees situate in the same locality. The appeal is against this order.

16 Rs fine of trees
20 Rs fine
36 Rs

8 Rs fine of trees
10 Rs fine
18 Rs

The appellants say that the trees are not the property of Govt as owners of fields Nos 338, 334 were in possession they obtained. — 2 witnesses of the fields corroborate the appts statement and the amildar's enquiry shows that the trees cut by the Patel are outside No 334 & that the trees cut by

The trees in question are situated on the bank of a Halla (stream) which is Govt Kharab and this bank forms the boundary of survey Nos 334 and 338 and 337 and is liable to be washed away by floods In the sketch prepared by the Mamlatdar it is stated that the position of some of the hands of 334 has been changed & they have been placed quite within the bed of the Halla. Some of the hand stones

the 2nd appt was on the boundary line between Nos 338 & the Bulla.— The Enquiry Officer states that the boundaries of Nos 338 & 334 were not clearly defined, & that it was with some difficulty that the Collector was able to trace the exact boundaries.— As it is not impossible that the appts in cutting the trees acted in good faith, the Govt are pleased to reduce the fine imposed on the 1st appt to Rs 24, & that on the 2nd appt to Rs 12.— The 1st appt may be allowed to appear at once, & the suspension in his case, as he suffers to [illegible]

[illegible]
20/6/93

in Survey Nos 338 and 331 are also missing. During his first inspection of the boundary the Amildar was in great doubt as to the exact boundaries of the fields and it was only after a second inspection with the aid of the Tank Inspector & extracts from the Tippani, that he was able to report that the two trees cut by the Patel were two & 9 feet respectively removed from Survey No 334 and that the trees cut by 2nd appt & another were on the boundary line between 338 and 331, and the Talla. Under these circumstances Appellants plead that they obtained permission to cut the trees from the owners of lands Nos 338 and 334 and that they had no idea they were cutting Govt trees. The owners of those lands corroborate them & state that the trees in question together with other trees

were ~~lost~~ planted by
their ancestors & were
in their possession from
time immemorial.

Y 3.

Reads

Chitaldrug Dy. Comms report No. 311/285 dated 3rd December 1892 on the petition of Patel Kodappa and Doune Linga of Berampore village, Hiriyur Taluk; & the Vernacular records bearing on the case.

On the 8th July 1892 one Ahmed Sab of Talpatti village, Complained to the Dy Comm. that the amildar of the Hiriyur Taluk had delayed the disposal of his complaints regarding certain trees on Govt land being cut by the Patel Kodappa of Berampur village

16.7.92 The Amildar was called upon to report how he had disposed of the complaint referred to.

In

In reply, the Amildar reported, that the two Complaints referred to by Ahmed Saib had been referred by him to the Police & the Patel respectively for enquiry as he had to proceed towards Hanti on an urgent business, that on his return he himself visited the locality, that the enquiry held disclosed that Patel Kodappa had cut two Atti trees standing on a stream adjacent to Survey No. 334, a private holding & one Jalee standing in the midst of S. Nos 328 & 330, also private holdings, that one Liddaramma and Donnei Linga each cut an atti tree standing on the bank of a stream on a land kidked as Govt. waste, that the holders of the lands in question had under the presumption that the trees stood on their private holdings given permission to these individuals to

cut the trees that the
Estimated value of atti
trees was Rs 8 each & that
of the Jaka tree was Rs 5/-
and solicited orders
as to the recovery of the
value of the trees from
these individuals and
also for the levy of fines
under Section 44 of the
Land Revenue Code.
He also recommended
that the Pälil Maigbe
suspended.

24. 8. 92 The Dy. Comm. passed
orders directing the recovery
of Rs 16 from Palil Kodappa
on account of the value
of two atti trees, & a fine
of Rs 20, and suspension
for one year; and also
the recovery of Rs 18 from
each of Dorine Linga
and Siddarama as the
value of 1 atti tree at
Rs 8/- & a fine of 10 Rs.

14. 11. 92. The first two appeals
to this Office

19. 11. 92 The Dy. Comm. being
called upon to report on the

facts of the case reported 3.12.92.
the foregoing facts
He was thereupon after 29.3.93
to submit a sketch shewing
the disputed locality and
the position of the trees
cut
He called for it from the 4.4.93
Amildar who in submitting
it pointed out that the 19.4.93
measurer was of opinion
that survey no. 334 measured
3 guntas less which was
probably due to the abrasion
of the bank by the
current of the stream &
that in consequence one
of the trees should be presumed
to be within that survey number
the Amildar however
went on to say that
he would not quite
concur with the measurer
& required the Katcha
Jeppani book to make
the matter clear. This 19.5.93
was sent for from the
Survey Dept; & given him
for reference —. Thereupon
he further reported differing from
the measurer's statement
and stating that the two

12
attitudes cut by the Patel Road nearly two & nine feet respectively away from the present holdings

S. Vig
10/6/93

[redacted]

Read 3/7/93.

18

(General Serial No. 32.)

189 2.

(2)

No. 1216

Name of Petitioner. ~~Khasappa~~ Kodap
Patel & another

Village. Bharampur

Taluk. Haveri

District. Chitaldroog

Date of Arzi. 14 — 11 — 92

Date of Receipt. 16 — 11 — 92

Date of Disposal.

No. of Enclosures. Two

(1) Ramp Effect Ka
(2) Copy of order produced
(3) Appeal in time
(4) Rule I Cl-(7) & (1)
Call for Rep with Annual Report
BO
21
18/11/92

ABSTRACT.

Appeal against the Dy. Commr's order No. 123 dated 24th Augt. 1892 fining the Petrs for unauthorizedly felling certain trees & suspending 1st Petr Sheik (Patel) for one year

17/11/92

Mysore Govt. Central Press Bangalore—7-9-92,—1000.

15

(1)

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
RECD. NO. 12160
DATE 16-11-92

Hosur
Recd. 16/11/92

Mark 16/11/92

Jo A:S.No 57
97-93 Two Re stamp

The Government of His Highness
the Maharajah of Mysore
Bangalore.

Revenue Appeal Petition No. of 1892

Petitioners:—1. Kodappa, Patel of Bharampur
Iymangal Hobli, Hiriyur Taluk,
Chitaldrug District.
2. Donay Linga; residing in
the same village.

The Petitioners above named beg to
appeal against the order No. 123 & 26th Augt.
1892 of the Deputy Commissioner of Chitaldrug
for the following among other reasons:—

1. That the 1st Petitioner has been ordered
to pay Rs 36/. out of which Rs 20/. being the
amount of fine and Rs 16/. being the
value of the trees cut.

2. That the 1st Petitioner being the Patel
is ordered to be suspended for one
year.

3. That the order of the Deputy Commissioner
is based solely on the Report of the Amildar
of the Hiriyur Taluk dated 26th July 92.

4. That the 1st Petitioner, cut the trees
which stood on lands Nos 328 and 330
with the consent & the holder of those

Lands

lands is proved

5. That the Report of the Amildar is based on surmises and on matters not to be found in the enquiry conducted by him.

6. That the 1st Pet. submits that the order appealed against is not only not supported by any Government records but it is also opposed to the evidence adduced in the case.

7. That the order directing 18 Rupees to be paid by the 2d Pet. is also illegal and not supported by any reliable evidence.

8. That the whole case has been got up by a cousin of the 1st Pet. who is trying for the Potelship by bringing the 1st Pet. into trouble

For these reasons the Petitioners pray that the order of the Deputy Commissioner may be set aside and the amounts recovered from the Petitioners may be ordered to be refunded.

Pending the disposal of this petition the 1st Petitioner prays that the execution of that portion of the order appealed against Viz directing the 1st Petitioner to be suspended for a period of one year be stayed.

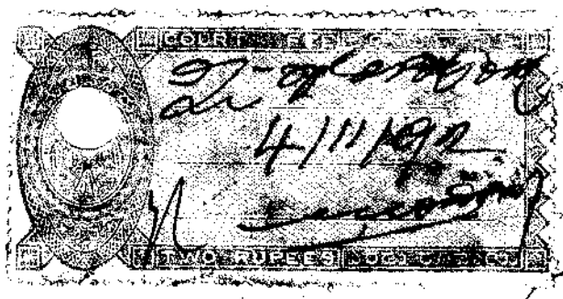
D Venkatramanappa

Advocate for Petr

Bangalore
14th November 92

22

1



Two Rupees Stamp
16/11/92

ಸ್ಮಾಲ್ ಕಾಸಿಸ್ ಡಿವಿಜನ್ ಕೋರ್ಟಿಗೆ

ಸ್ಮಾ 1892ನೇ ಇಸವಿ ಅಲೀಲ್2 ನಂಬರ

ಅಪೀಲುದಾರರು

ಲೀಲಾವತಿ ತಾಯಿ ಅಪೀಲುದಾರರು ಪ್ರತಿವಾದಿ.

ಬರಂಪಾಲದ ದಾಗ. ಕೆಂಪಪ್ಪನ ಮಗಳು ಅಪೀಲುದಾರರು

ಪೀಲುದಾರರ ಅಳಿಯ ಅಪೀಲು ಪ್ರತಿವಾದಿಗಳು } ಲೀಲಾವತಿ

ಪ್ರತಿವಾದಿ } ಪ್ರತಿವಾದಿಗಳು ಗೆ.

ಪೀಲುದಾರರ ಪರವಾಗಿ ವಕೀಲರಾದ ಬರಸಿ ಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನೆ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ಪಗೈರೆ ಕೊಟ್ಟು, ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗ್ಯೂ, ಮತ್ತು ನನಿಗೆ ಸ್ಟ್ಟತಕ್ಕ ಡಿಕರಿ ಮೊಬಲಗು ದಸ್ತ್ವೆಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ ಸಹಾ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ, ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪುತ್ತೇನೆ.

ತಾರೀಖು 4 ನೇ ನವೆಂಬರ್
ಸ್ಮಾ 1892ನೇ ಇಸವಿ. } ರುಜು ಲೀಲಾವತಿ ರಾಜೆ

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ.

ಡಿ.ಗುಂಡಿನಗರರಾಜಪ್ಪ
ಸಾಂಗತ್ಯಸನ್ನಿಧಿಕೆ

D.Venkatarayappa
Adv: for Petr.
14/11/92

ಈ ಮೊಕ್ತಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿ ಇದ್ದಾರೆ ಆದ್ದರಿಂದ ನಾನು ಸರ್‌ಟಿಫೈ ಮಾಡಿದ್ದೇನೆ.

ಕಾಂಪೌಂಡರ್
ಕಾಳಿಕಾಶ್ರಮ

Vichara Darpana Press Bangalore, 1892

648

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1216
dated 14th Novr 92 received at the
Dewan's Office from Kodappa Patel and
another of Bharampur, Hiriyur
Taluk, appealing against D/Conr
Order No 1233 of 24/8/92 fining the Petrs
for an unauthorized felling certain
trees, & suspending 1st Petitioner
for one year,
is forwarded, together with its two
enclosures, to the D/Conr, Chitaldrug
draft for submission of Proc
with a report on the facts of
the case & on the points taken
in the petition.
2. The Petition should be
returned.

By Order,

Draft
for Chief Secretary

BANGALORE,
19 Novr 1892.

19/11/92

Sent issued
21/11/92

24

(General Serial No. 80.)

6052

1892. Ser 285

From

The Deputy Commissioner
Chitaldroog district

To

The Chief Secretary to the ~~Dewan~~ Government of Mysore.

Dated 3 December 1892

Despatched

Received

Enclosures No. 3 With Ser: records.

General No. 311.

No. 285.

In reply to his office Memo: No 648 dated 19th ultimo.

SUBJECT.

Reporting upon the petition of Potal Kodappa and Dena Lingeia of Bharampur village Hiriyur Taluk.

Petition Branch
9/12/92.

References (to be entered only in the Dewan's Office).

Ask for a sketch showing the disputed lands and the portion of the tank concerned in the dispute.

Adjourned to 15th June 1893.

Before 6th June 1893

9/12

(4)

No. 311-
285-
Enc: 3 with Ver:
Records.

Deputy Commissioner's Office
Chilaw District
Dated Chilaw 31st December
1892

To

The Chief Secretary to the
Government of Ceylon.

Sir,

With reference to your
Official Memo No. 648 dated 19th
+ Inclosures. herewith returned. ultimo forwarding for report
a petition received from Potel
Kodappa and Doné Linga of
Bacampitiya Village, Hiniyára —
Valook, I have the honor to
state that on 12th July 1892 one
Ahamad Lebe of Talpatti Village
of the Dyamangal Hobli having
Complained to the Deputy Commis-
-sioner Mr. Tirumalachar that
some delay was caused by
the Arbitrators of Hiniyára in
enquiring into a Complaint
preferred

preferred by him against the
said Potal Kodappa in the matter
of his Cutting two Atti trees standing
upon Government land, the
Amildar was called upon to
enquire and submit a report.
2. The Amildar's report
together with the evidence taken
by him in respect of the Complaint,
showed that four Atti trees stood
by the side of a Channel or
Kalla adjacent to certain private
holdings, whose owners admitted
having permitted the Potal
and two other individuals
Doné Linga and Siddanama,
to cut and remove the same.
As the trees were not within the
boundary marks of the above
said private holdings but were
on a Government Kalla the
Amildar, who ascertained the
fact by personal inspection,
recommended

recommended that the value of these trees Rs: 8 each may be ordered to be recovered from these people in addition to subjecting them to fine under Section 44 of the Revenue Code. He also suggested that the Patel whose duty it was to guard the interests of Government may be suspended for a short time.

3. The Deputy Commissioner after perusing the records ordered that Rs: 16, being the price of two trees cut down by the Patel should be recovered from him and that the other two individuals should likewise pay Rs: 8 each for the trees removed by them. He further directed that the Patel should be fined Rs: 20/- and suspended for a year and that Doné Linga and Siddanna should pay a fine of Rs: 10/- each

4. The Vernacular records are

are herewith submitted

I have the honor to be
Sir
Your most obedient Servant

[signature]

To [illegible] Esq: Deputy Commissioner

29

(General Serial No. 30.)

189 .

(3)

Dr 1885-92-4

From

The Chief Secretary to the Dewan of Mysore.

To

The Deputy Commissioner Chitaldroog Dt.

Dated 29 March

Despatched 31 —"—

Received

Enclosures No. one file

~~General~~ No. 16119
Pers No. 266-92 & V. papers

His letter No 311/285 dated 3 Dec last reporting upon the petition of Patel Kodappa and Donedingia of Bhorampur, Hiriyur Taluk

—

With reference to the above, has the honor to request that a sketch showing the position of the trees cut by the petitioners, the limits of the fields (Nos 334, 331 and 338) on which it was contended the trees stood and the position of Survey bounds, may be submitted for reference as early as practicable.

The remainder papers received with the above are herewith sent, to be resubmitted with the Sketch referred to.

By order

31/3

Chief Secretary

30-

GENERAL OFFICE

LR 18-5-92-5

Dead

(6)

To

The Deputy Commissioner

Chitaldroog District

Dated 26th May

Dept. do —

No. 20038 / Pol. F. 266-92

This Office No. 16119 / 17 266-92 dated 29th March last.

Has the honor to request that the vernacular records relating to the appeal petition of Patel Kodappa & another, forwarded with the above, may be returned forthwith, together with the Sketch called for, as the petition comes on for hearing on the 8th proximo.

By order

Draft

Mysore 26th May

for Chief Secretary

Petn. Br.
Canvn
5/6/93

The case has been adjd to 15th Inst.
This will be intimated to the Dfs/pr
[illegible]

L.O 185-92-6

31 Urgent

(General Serial No. 30.) 5 - 1431/3-
Pet 588
1893.

From The Deputy Commissioner
Chitaldrug District (7)

To

The Chief Secretary to the ~~Dewan~~ Government of Mysore.

Dated 3 2 June 1893-

Despatched

Received

Enclosures No. 4

General No. 693
No. 643.

His docket No 20038
Pet 206-92
dated 26th Ultimo.

In reply, has the honor to state that the record was sent to the Amildar as soon as it was received here with a request that the sketch called for, be prepared and submitted as early as possible. The Amildar found some difficulty in the matter

M. G. C. P Bangalore.—27-1-93.—5,000.

and therefore requested that the Lippana Book be sent for from the Survey Department and forwarded to him for reference. An extract from the Lippana Book was recently obtained from the Survey Department and sent to the Amildar with the record of the case. The sketch has not yet been submitted by him nor has the record been returned. An urgent requisition has been sent to him, on receipt of the record it will be transmitted without delay.

Deputy Commissioner.

Encl.

53.

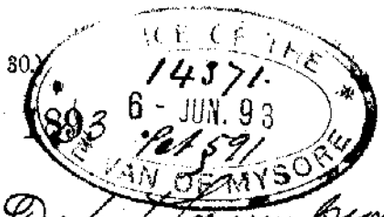
Petn dr
Mrch 6/6

The Case is for 15th Inst. Precis to be prepared early 5/6

5/6

LR 185-92-7

(General Serial No. 30)



1893 Pet 591

From The Deputy Commissioner Chitaldrug District (8)

To

The Chief Secretary to the ~~Dewan~~ Government of Mysore.

Dated 5th June 1893 —

Despatched

Received

Enclosures No. as per separate packet —

General No. 697
No. 646

His docket No. 29038 dated 26th ultimo — Pet-206-92

— " —

In continuation of this Office docket No. 14313 693 643 dated 3d Instant, has the honor to submit herewith the vernacular correspondence among with Kempur Anulavaru report No. A dated the 3d Instant, together with a sketch showing the position of the trees cut by Patel.

M. G. C. P. Bangalore.—27-1-93.—5,000.

Rodarfa and others the
limits of the fields and the
position of survey Brands.

Allen Cascaup
Deputy Commissioner.

GOVERNMENT OF MYSORE

Before the Government of *His Highness* the Maharaja of Mysore.

LR 185-92-8

(9)

Appeal No. 57 of 1892-93

Appellants	Vs.	Respondent.
1. Kodappa 2. Dommelinga of Bhiramapore, Hiriyur Taluk, by M^r D. Venkatramiah, Advocate		

Decision. 12-7-93

The Deputy Commissioner of Chitaldroog fined 1^{st} Appellant Patel Kodappa 36 Rs* for felling two Atti trees situate in Govt land and, suspended him from office for one year. He also fined 2^{d} Appellant and another person† 18 Rs each for a similar offence in respect of two Atti trees situate in the same locality. The appeal is against this order.

* 16 Rs price of trees
20 - fine
36 Rs

† 8 Rs price of trees
10 - fine
18 Rs

2. The appellants say that the trees cut are not the property of Government but of the owners of fields Nos 338 & 334 whose permission they obtained. The owners of the fields corroborate the appellants

statement, but the Amildar's enquiry shows that the trees cut by the Patail are outside No. 334, and that the trees cut by the 2d. Appellant was on the boundary line between No. 338 and the Hulla. The enquiry however shows that the boundaries of Nos. 338 & 334 were not quite distinct, and that it was with some difficulty that the Amildar was able to trace the correct boundaries. As it is therefore possible that the appellants in cutting the trees acted in good faith, the Government are pleased to reduce the fine imposed on the 1st. Appellant to Rs. 24, and that on the 2d. Appellant to Rs. 12. The 1st. Appellant may be restored to office at once, as the suspension he has already suffered is sufficient

By order.

24 July

Chief Secretary

Redraft

No. 1622. dt. 19/27/7/93.
P. F. 266-91

Copy to the Deputy Commr. of Dharwar along with the Ver: Prog. received with his No. 697/646, dated 5th June 93.

By order.

Chief Secretary

37 dR185-92-9

No. 1216 Endt issued
57 27/7/93.

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT, (10)
24/27 July 1893

Endorsement granted to Kodappa Patel of Bheramapur and Doraj Lingi of the same village (represented by Mr. D. Venkatramanayya Advocate)

in reply to their Petition Registered No. 1216 dated 14th November 1892 appealing against the order of the Dy Commr of Chitaldroog dated 24 August 1892 punishing Petitioners for cutting trees on government land without license

Petitioners are informed that the fine imposed on the 1st appellant Kodappa has been reduced to Rs. 24 and that on the 2nd appellant D. Lingi to Rs. 12-

The 1st appellant will be restored to office at once as the suspension he has already suffered is considered sufficient.

LL
Pgs 1785

"By Order"

draft

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

38

(General Serial No. 30.)

1893 3810

From The Deputy Commissioner Chitaldroog District

LP. 185-92-10.

To Govt:

The Chief Secretary to the ~~Dewan~~ of Mysore.

Dated 15th September 1893.

Despatched 16th

Received

Enclosures No.

General No. 222

No. 186

In reply to No. 1622 of 1892-93. P.P. 266

SUBJECT.

Soliciting orders whether under the circumstances represented Patel Kodappa should now be placed under suspension for a certain period

Patn Dr. Nov 1893

Subd & Council Nov 22/93

order

H Govt agree with H Dt Commr — H Patel need not be now suspended.

CR 18/11/93

22/11

Dispatch 22/11/93

References (to be entered only in the Dewan's Office).

No. 222/186 Deputy Commissioner's Office
Chitaldrug District
Dated 15th Sept 1893

(11)

To,

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your Office No. 1622/OF No. 266 of 1892-93, forwarding Copy of the decision of Government Appeal No. 57 of 1892-93 re. Kadappa & another, I have the honor to state that the late Deputy Commissioner passed his order of Suspension of Patil Kadappa on 24th August 1892. After some Correspondence relating to the temporary appointment of a Successor, the late Officiating Deputy Commissioner directed

the

the Amildar on 2d January 1893.
not to give effect to the order of
suspension pending the disposal
of the appeal preferred to Govern-
ment by Kodappa. The decision
of Government directs the Patel's
restoration to Office "as the Sus-
-pension he has already suffered
is sufficient."

2. As the Patel has not really
suffered any suspension, I beg
to solicit instructions as to whether
he should now be placed under
suspension for a period corres-
-ponding to the interval between
the date of the late Deputy Com-
-missioner's order of 24th August
1892, and that of the Government
decision dated 12th July 1893.
It was this period that was
considered sufficient by the
Government. But I am of
opinion that in the view which

the

the Government has taken of the case, Viz. that the Postal may have acted in good faith it is not now necessary to give effect to the late Deputy Commissioner's order of Suspension. Pending Government Orders, the Postal Continues to discharge the duties of his Office.

I have the honor to be,
Sir,
Your Most Obed. Servt.

Deputy Commissioner
Chittadrug Dt.

612

Proceedings of the Govt of
H. H. the Maharaja of Mysore

(12)

Read:—

Letter No 222/186 dated 15th September 1892, from the Deputy Commr of Chitaldrug, soliciting instructions, with reference to Govt order No 1622/P.7.266 of 19. 7. 93, whether Patel Kodappa whose suspension had been held in abeyance, should now be made to undergo any portion of it, as the Govt in ordering his restoration remarked that the suspension he had already suffered was sufficient; and stating, that in the view of the case taken by the Govt, viz. that the Patel might have acted in good faith, it is not now necessary to give effect to the order of susp passed by the late Depn Commr.

Order thereon.

The Govt agree with

8610 J28-11-93.
Pet 7266. 29/92

the Deputy-Commissioner.
The Patel need not be now suspended.

27 Xmas

Draft
(Counsellorder)

For Chief Secretary

Sd.

To the Deputy Commr:
Chitaldrug District

Draft for approval